Docket No.: 2091-0229P

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Satoshi SETO

Application No.: 09/760,795

Confirmation No.: 4941

Filed: January 17, 2001

Art Unit: 2157

For: IMAGE EDITING METHOD AND SYSTEM

Examiner: H. A. El Chanti

PETITION TO RESET THE PERIOD FOR RESPONSE

MS Technology Center Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The Examiner's Answer dated April 4, 2008 was never received by the offices of the undersigned, and a review of the file jacket for the present application and the firm docketing records confirms that the Examiner's Answer was never received. The offices of the undersigned did not become aware of the Examiner's Answer until a review of PAIR, which was after the deadline of June 4, 2008, alerted Applicant to the purported mailing of the Examiner's Answer.

EVIDENCE

The Examiner's Answer dated April 4, 2008 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP. If the Examiner's Answer was properly received in April, 2008, entries would have been made in this office's docket for the filing of a Reply Brief and a Request for Oral Hearing, both of which having a deadline of June 4, 2008. It is understood that the USPTO can review the attached records for verification, and therefore see that the Examiner's Answer dated April 4, 2008, was never received by Birch, Stewart, Kolasch & Birch, LLP.

Application No.: 09/760,795 Docket No.: 2091-0229P

Upon discussion of this matter with Ms. Smith of the Board of Patent Appeals and Interferences, it was suggested to submit a petition explaining the USPTO error so that the time period can be reset. A copy of the undersigned's Docket including the serial numbers for all matters due June 4, 2008 from the Docketing Department is attached hereto. As can be seen from the attached, there are no entries in this office's Docket for the above application.

SUMMARY

It is noted that the Examiner's Answer dated April 4, 2008 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP. The present Petition is timely filed for this purpose.

Since the above-mentioned Examiner's Answer was never received in the offices of the undersigned, it is believed that no petition fee is necessary in connection with this Petition.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: July 31, 2008

Respectfully submitted,

Marc S. Weiner

Registration No.: 32,181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

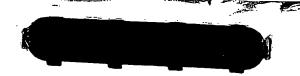
Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant



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2-MONTH CALL-UP PERFORMED: Letter Sent to Client Letter Not Necessary Date:		☐ Refere	IONAL PHASE APPLICATIO ences Requested from Client cation Reporting Letter	
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